



Attorney Docket No. 27593U

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Inventor: OHYAMA

Serial No.: 10/589,622

Filed: August 16, 2006

Internatl. Appl. No.: PCT/JP2005/000914

Internatl. Filing Date: 25 January 2005 (25.01.2005)

Title: **OPTICAL DEVICE AND OPTICAL PICKUP DEVICE**

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:

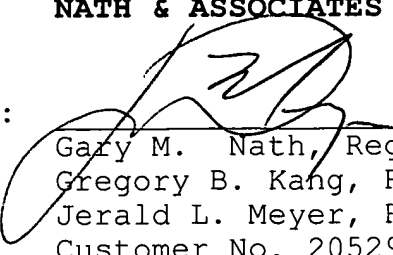
Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- (1) Transmittal Letter;
- (2) Submission of the International Preliminary Report of Patentability;
- (3) Copy of Form/IB 338 (Notification of Transmittal of copies of Translation of the International Preliminary Report on Patentability).

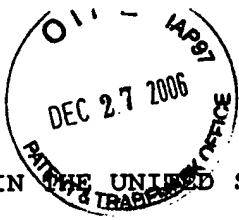
The Commissioner is hereby authorized to charge any deficiency or credit any excess to Deposit Account No. 14-0112.

Respectfully submitted,
NATH & ASSOCIATES PLLC

By:


Gary M. Nath, Reg. No. 26,965
Gregory B. Kang, Reg. No. 45,273
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Date: December 27, 2006
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Attorney Docket No. 27593U

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Inventor: OHYAMA

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SUBMISSION OF THE INTERNATIONAL PRELIMINARY EXAMINATION REPORT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

To supplement the documents filed with the National Phase Filing Under 35 USC 371 of the above captioned application commenced on 16 August 2006, applicant hereby submits the Notification of Transmittal of Copies of Translation of the International Preliminary Report on Patentability (PCT/IB/338).

If the Examiner has any questions or wishes to discuss this application, kindly telephone the undersigned at the below-listed number.

Respectfully submitted,

NATH & ASSOCIATES PLLC

By: 

Gary M. Nath, Reg. No. 26,965

Gregory B. Kang, Reg. No. 45,273

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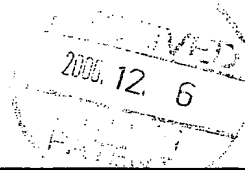
From the INTERNATIONAL BUREAU

PCT

NOTIFICATION OF TRANSMITTAL
OF COPIES OF TRANSLATION
OF THE INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY
(CHAPTER I OR CHAPTER II
OF THE PATENT COOPERATION TREATY)
(PCT Rules 44bis.3(c) and 72.2)

To:

MIYOSHI, Hidekazu
Toranomon Kotohira Tower, 2-8, Toranomon 1-chome,
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1050001
JAPON



Date of mailing (day/month/year) 30 November 2006 (30.11.2006)	
Applicant's or agent's file reference JJVC-141-PCT	IMPORTANT NOTIFICATION
International application No. PCT/JP2005/000914	International filing date (day/month/year) 25 January 2005 (25.01.2005)
Applicant VICTOR COMPANY OF JAPAN, LIMITED et al	

1. Transmittal of the translation to the applicant.

☐

The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter I).

☒

The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter II).

2. Transmittal of the copy of the translation to the designated or elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following designated or elected Offices requiring such translation:

EP, KR

The following designated or elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AP, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EA, EC, EE, EG, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NI, NO, NZ, OA, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SM, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW

3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability (Chapter II).

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned within the applicable time limit (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 338 82 70	Authorized officer Yoshiko Kuwahara Facsimile No. +41 22 338 82 70
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(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Date of submission of the demand	Date of completion of this report ,
Name and mailing address of the IPEA/JP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2005/000914

Box No. I	Basis of the report
1.	<p>With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.</p> <p><input type="checkbox"/> This report is based on translations from the original language into the following _____ which is the language of a translation furnished for the purposes of:</p> <p><input type="checkbox"/> international search (Rule 12.3 and 23.1(b))</p> <p><input type="checkbox"/> publication of the international application (Rule 12.4)</p> <p><input type="checkbox"/> international preliminary examination (Rule 55.2 and/or 55.3)</p>
2.	<p>With regard to the elements of the international application, this report is based on (<i>replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report</i>):</p> <p><input type="checkbox"/> the international application as originally filed/furnished</p> <p><input checked="" type="checkbox"/> the description:</p> <p>pages <u>1-7, 9-19, 21-24, 27, 29</u> as originally filed/furnished</p> <p>pages* <u>8, 20, 25-26, 28</u> received by this Authority on <u>14.09.2005</u></p> <p>pages* _____ received by this Authority on _____</p> <p><input checked="" type="checkbox"/> the claims:</p> <p>nos. _____ as originally filed/furnished</p> <p>nos.* <u>1-4, 6-13</u> as amended (together with any statement) under Article 19</p> <p>nos.* _____ received by this Authority on _____</p> <p>nos.* _____ received by this Authority on _____</p> <p><input checked="" type="checkbox"/> the drawings:</p> <p>sheets <u>Fig. 1-14</u> as originally filed/furnished</p> <p>sheets* _____ received by this Authority on _____</p> <p>sheets* _____ received by this Authority on _____</p> <p><input type="checkbox"/> a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.</p>
3.	<p><input checked="" type="checkbox"/> The amendments have resulted in the cancellation of:</p> <p><input type="checkbox"/> the description, pages _____</p> <p><input checked="" type="checkbox"/> the claims, nos. <u>5</u></p> <p><input type="checkbox"/> the drawings, sheets/figs _____</p> <p><input type="checkbox"/> the sequence listing (<i>specify</i>): _____</p> <p><input type="checkbox"/> any table(s) related to sequence listing (<i>specify</i>): _____</p>
4.	<p><input type="checkbox"/> This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).</p> <p><input type="checkbox"/> the description, pages _____</p> <p><input type="checkbox"/> the claims, nos. _____</p> <p><input type="checkbox"/> the drawings, sheets/figs _____</p> <p><input type="checkbox"/> the sequence listing (<i>specify</i>): _____</p> <p><input type="checkbox"/> any table(s) related to sequence listing (<i>specify</i>): _____</p>

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2005/000914

Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1. Statement			
Novelty (N)	Claims	1-4, 6-13	YES
	Claims		NO
Inventive step (IS)	Claims	1-4, 6-13	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-4, 6-13	YES
	Claims		NO
2. Citations and explanations (Rule 70.7)			
<p>Document 1: JP 2000-003523 A (Hitachi, Ltd.), 7 January 2000, paragraphs [0073] to [0112] and [0131]; fig. 1 to 4, 7 and 9 (Family: none)</p> <p>Document 2: JP 2002-092902 A (Ricoh Co., Ltd.), 29 March 2002, paragraphs [0027] to [0110]; fig. 4 to 10 (Family: none)</p> <p>Document 3: JP 2001-202647 A (Matsushita Electric Industrial Co., Ltd.), 27 July 2001, paragraphs [0033] to [0063]; fig. 3 to 8 & US 6597642 B1 & CN 1304133 A</p> <p>Document 4: JP 2003-151169 A (Sony Corporation), 23 May 2003, paragraphs [0017] to [0024] and [0079]; fig. 1 and 19 (Family: none)</p> <p>Document 5: JP 2002-109759 A (Matsushita Electric Industrial Co., Ltd.), 12 April 2002, paragraphs [0090] to [0117], fig. 7 to 10 & US 2003/0007436 A1 & US 2005/0002292 A & CN 1343976 A</p> <p>The inventions set forth in claims 1 to 4 and 6 to 13 are not disclosed in any of the documents cited in the international search report, and would not be obvious to a person skilled in the art.</p>			